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14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**
 17

18 KARL STORZ ENDOSCOPY-)
 AMERICA, INC.,)
 19)
 20 Plaintiff,)
 21 v.)
 22 STRYKER CORPORATION and)
 STRYKER COMMUNICATIONS, INC.,)
 23)
 24 Defendants.)

Case No. CV 14-00876 RS

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO ALTER THE DEADLINE TO
 FILE A MOTION TO RETAIN
 CONFIDENTIALITY DESIGNATIONS
 UNDER THE PROTECTIVE ORDER**

1 Pursuant to Civil Local Rule 6-1(b) and 7-12, Plaintiff Karl Storz Endoscopy-America, Inc.
2 ("KSEA") and Defendants Stryker Corporation and Stryker Communications, Inc. (collectively,
3 "Stryker"), by and through their undersigned counsel, hereby stipulate to and jointly request the Court
4 to continue the deadline under the Protective Order (Dkt. 115) to file a motion to retain
5 confidentiality designations to March 25, 2016, in connection with KSEA's February 3, 2016
6 challenges to certain of Stryker's confidentiality designations. The accompanying declaration of
7 Michael J. Carrozza sets forth all requirements of Civil Local Rule 6-2, including identifying all
8 previous time modifications in the case. For the Court's convenience, the Parties will not repeat all
9 information contained in Mr. Carrozza's declaration, but the Parties do note as follows:

10 1. On February 3, 2016, KSEA provided Stryker with written notice that it was
11 challenging the confidentiality designations of certain documents that Stryker produced as being
12 subject to the patent prosecution bar in the Protective Order (Dkt. 115). Under Paragraph 6.3 of the
13 Protective Order, "[i]f the Parties cannot resolve a challenge without court intervention, the
14 Designating Party shall file and serve a motion to retain confidentiality under Civil Local Rule 7 (and
15 in compliance with Civil Local Rule 79-5, if applicable) within 21 days of the initial notice of
16 challenge or within 14 days of the parties agreeing that the meet and confer process will not resolve
17 their dispute, whichever is earlier." (Dkt. 115 at 7-8.) The date to file such a motion to retain
18 confidentiality in this instance would be February 24, 2016.

19 2. The Parties met and conferred via teleconference on February 17, 2016, and on
20 February 18, agreed that further meet and confer efforts could resolve, or at least significantly
21 narrow, the disputes to be presented to the Court. Thus, the parties agreed to request that the Court
22 continue certain deadlines to allow further meet and confer efforts regarding the disputes underlying
23 KSEA's challenges. The Parties agreed that, if an impasse were reached as of March 11, that any
24 motion to retain confidentiality designations would be filed by March 25.

25 3. The stipulated deadline will not alter any other deadlines currently set by the Court.
26
27
28

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

- The deadline to file any motion to retain confidentiality in response to Plaintiff's February 3, 2016 challenges is continued to March 25, 2016.

Dated: 2/24 _____, 2016



Honorable Richard G. Seeborg,
United States District Judge